

REMARKS

The non-final Office Action of February 8, 2007 has been carefully considered. Claims 1, 3 and 7 have been cancelled. Claims 2, 4-6, 8 and 11 are currently amended. Claims 2, 4-6, 8-11, and 21-23 are currently pending.

Claim Objections

Claim 8 is amended to remove the parenthesis. Claim 11 is amended to be in independent form including all the limitations in the base claim and the intervening claims.

Claim Rejections – 35 USC § 102

Claims 1-8, are rejected under 35 U.S.C. § 102 as being anticipated by Kahne et al. (US 2002/018266 A1) (“Kahne”). Specifically, the Examiner indicates there is nothing to indicate in Claim 1 that a donor displacement assay is being performed vs. a kinetic assay. While the Applicant disagrees, Claims 1, 3 and 7 are cancelled. Claims 2, 4-6, 8-10 currently depend on allowed base Claim 21.

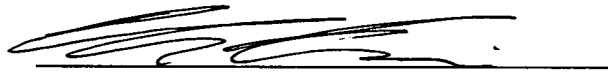
Claim Rejections – 35 USC § 103

Claims 1-10 are rejected under 35 USC § 103(a) as being unpatentable over Kahne et al. (US 2002/018266 A1) in view of MacLeod et al. (US 6,221,600). In view of the cancellation of the Claims 1, 3, and 7 and the amendments to Claims 2, 4-6, and 8 this rejection is rendered moot.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

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